

|   |   |
|---|---|
| CERTIFICATE OF MAILING<br>37 C.F.R. §1.8  |   |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below: |   |
| <u>January 9, 2002</u><br>Date  | <br>Steven L. Highlander |

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*In re Application of:*David J. MANGELSDORF *et al.*

Serial No.: 09/460,292

Filed: December 10, 1999

For: COMPOSITIONS AND METHODS OF  
MODULATING CHOLESTEROL  
METABOLISM

Group Art Unit: 1615

Examiner: J. Woitach

Atty. Dkt. No.: UTSD:596/SLH

DECLARATION UNDER 37 C.F.R. § 1.48(a)Commissioner for Patents  
Washington, D.C. 20231

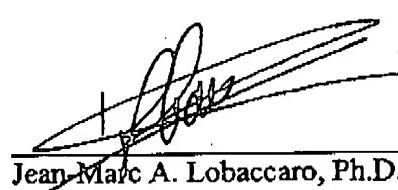
We, the undersigned, do declare that:

1. We are authors of Peet *et al.*, *Cell* 93:693-704 (1998).
2. In reviewing the subject matter presently being examined, it has become apparent that we are properly named inventors, and thus we are being added as inventors to the above-captioned application. This error was made without deceptive intent on our part.

3. Daniel J. Peet performed the experiments that generated the LXRx-knockout mice. He also performed the experiments that demonstrated the phenotype of these mice and the unequivocal role of LXR in cholesterol metabolism.
4. Jean-Marc A. Lobaccaro conducted experiments together with Dr. Peet to demonstrate the phenotype of the LXRx-knockout mice, and to establish the role of LXR as a therapeutic target for modulating cholesterol metabolism.
5. In light of these substantial contributions, it is our opinion that both Peet and Lobaccaro contributed substantially to the rationale and design of the studies reported in the Peet *et al.* paper, and claimed in the instant application.

6. We hereby declare that all statements made herein of our knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

December 20th 2001  
Date



Jean-Marc A. Lobaccaro, Ph.D.

---

Date

---

Daniel J. Peet, Ph.D.